

AT DANVILLE, VA  
FILED

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

OCT - 8 2019

JULIA C. DUDLEY, CLERK  
BY: *M. Hupp*  
DEPUTY CLERK

United States of America )

v. )

CARLOS SANTANA MORRIS )

Case No: 4:08cr00040-001

USM No: 43248-039

Date of Previous Judgment: 09/01/2015 )

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 183 months months is reduced to 128 months\*.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 22

Amended Offense Level: 22

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 63 to 78 months

Amended Guideline Range: 63 to 78 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain):

Considering the factors of 18 USC 3553(a), the arguments of counsel, and all other relevant equitable factors, the court determines that a sentence of time served is appropriate in this case. Further incarceration of this defendant will not offer further benefit to the defendant or society at large.

## III. ADDITIONAL COMMENTS

\* Defendant is sentenced to 128 months or time served, whichever is greater. Defendant is sentenced to 8 months on Counts 2, 3, 4, 5, and 7, all to be served concurrently, and 120 months on Count 6, to be served consecutively to the terms imposed on Counts 2, 3, 4, 5, and 7.

Except as provided above, all provisions of the judgment dated 09/01/2015 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10/08/2019

*Jackson L. Kiser*  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge  
Printed name and title